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MOTION

Rule 12. Defenses and Objections

No.2:23-cv 05146-GEKP

Plaintiff Peter Sauers Pro-se Plaintiff

Vs.

Defendants Oak Property Management, Ashley Management Co.,
County Builders, Mike Meister, and Kevin Reilly

Plaintiff Peter Sauers Pro-se Plaintiff

32 N. Westview Avenue Feasterville, PA 19053

215 805-2421 Cell - Home 215 396-6811

Date *2-26-24*

Filed: United States District Court Eastern District of Pennsylvania

James A. Byrne U.S. Courthouse. 601 Market Street.

Philadelphia, PA

A handwritten signature in black ink, appearing to be 'P. Sauers', is located in the bottom right corner of the page.

MOTION

Rule 12. Defenses and Objections

1, FRCP 12(g)(2)(A) A defendant must serve an answer:

Defendants omitted answers for the new complaint based on the new facts that were not known and in existence at the time of any other filing, Michael E. Peters, Esq., and Michael J. Savona Esq., Solicitor Michael T. Pidgeon, Esq. "Robert P. Hoopes Esq. all violated Model Rule 1.2 (d), for engaging counsel and assisting a client knowingly acted in fraudulent, application of the zoning laws, ordinances and Constitutional Rights in a conflict of interest for Defendants Oak Property Management, Ashley Management Co., County Builders, Mike Meister, and Kevin Reilly The nine mandatory elements of fraud and "fraud on the court" are in the new complaint (Additional pages- page 4 date 12 27 2023 states new complaint. Michael E. Peters, Esq. acknowledged that "I'm the chair of the Real Estate Committee" and he removed the Robert P. Hoopes Esq documentation. Stephen B. Harris Esq. is aware of this in the new complaint.

2. FRCP 12(g)(2)(A) A defendant must serve an answer: The oxymorons relevant to this case and U.S.C. Fraud on the court" is Honorable Judge Robert O. Baidi ORDER and a 12(b)(6) from MOTION and ORDER from opposing Judge. This is in the new complaint and occurred in 2023. City of Dallas v Mitchell, 245 S.W. 944 "To take away all remedy for the enforcement of a right is to take away the right itself. The remedy for the enforcement in filings is Constitutional Rights, Davis v. Wechsler, 263 US 22, 24. "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." Stephen B. Harris Esq. is aware of this in the new complaint.

3. FRCP 12(g)(2)(A) A defendant must serve an answer:

"Robert P. Hoopes, of Doylestown, Pennsylvania, pleaded guilty to one count of conspiracy to commit money laundering and four counts of Hobbs Act extortion under color of official right made documentation for Defendants Oak Property Management, Ashley Management Co., County Builders, Mike Meister, and Kevin Reilly.

4. FRCP 12(g)(2)(A) A defendant must serve an answer: Michael E. Peters, Esq, removed the Robert P. Hoopes Esq documentation as new complaint Plaintiff has put back documentation in the new complaint to show in part the nine mandatory elements of fraud and "fraud on the court. To allow Plaintiff the rights to a new complaint. Stephen B. Harris Esq. is aware of this in the new complaint.

5. FRCP 12(g)(2)(A) A defendant must serve an answer:
Fundamental fairness in fair procedures the new complaint must show fraud, corruption without notice documentation removed and a and put in place for Defendants Oak Property Management, Ashley Management Co., County Builders, Mike Meister, and Kevin Reilly like: Resolution No.2017-20 approved 12th day of April 2017 for commercial use, two zoning maps in used removing equal protection for all residents. Boyce v. Grundy, 3 Pet. 210 "Fraud vitiates the most solemn contracts, documents and even judgments." Stephen B. Harris Esq. is aware of this in the new complaint.

6. FRCP 12(g)(2)(A) A defendant must serve an answer on the new complaint and has NOT. Stephen B. Harris Esq in hope that Honorable Gene E.K. Pratters looking Plaintiff old cases for another 12(b)(6) not the new complaint. (Page 4 New complaint of Sherar v. Cullen, 481 F. 2d 946 (1973) "There can be no sanction or penalty imposed upon one because of his exercise of constitutional rights" New complaint is based on new facts). This is in the new complaint and occurred in 2023. Stephen B. Harris Esq. Please serve an answer case filed in 2023. Thank You.

7. The new complaint considering the discovery of new facts, evidence and circumstances shows relief and Plaintiff Objections are Stephen B. Harris Esq. defendant did NOT serve an answer to the new complaint. Plaintiff needs two reasons under the rules to overcome a 12(b)(6) one is Two motions the other is an to serve an answer to the new complaint of 2023 for Fraud and fraud on the court allow a new complaint Boyce v. Grundy, 3 Pet. 210 "Fraud vitiates the most solemn contracts, documents and even judgments." Allowing Plaintiff a new complaint.

8. Objections: (b) Every defense to a claim for relief in any pleading must be asserted in the responsive pleading if one is required. But a party may assert the following defenses by motion: 12(b)(6) motion failure to state a claim upon which relief can be granted. A motion asserting any of these defenses must be made before pleading if a responsive pleading is allowed. If a pleading sets out a claim for relief that does not require a responsive pleading, an opposing party may assert at trial any defense to that claim. No defense or objection is waived by joining it with one or more other defenses or objections in a responsive pleading or in a motion. New complaint sets claims for relief in, civil damages, punitive damages, Violates of First Amendment, Fifth Amendment, and the Fourteenth Amendment, fraud, fraud on the court corruption, ethical misconduct and Plaintiff has rights in rules of law. A defendant must serve an answer on the new complaint and motions. Defendant "may assert at trial any defense to that claim". The Plaintiff invokes his Seventh Amendment right.

Verification PLAINTIFF/ PETER SAUERS Pro-se the Plaintiff
verifies that he is representing himself in this action, and that the
statements made in the forgoing is true and correct to the best of
his knowledge, information and belief and the testimony and
what's on record. He understands that false statements made
herein are subject to the penalties of law. Plaintiff reserves the
right to amend.

Plaintiff Peter Sauers Pro-se Plaintiff

32 N. Westview Avenue Feasterville, PA 19053

215 805-2421 Cell - Home 215 396-6811



Date 2-26-24

Filed: United States District Court Eastern District of
Pennsylvania

James A. Byrne U.S. Courthouse. 601 Market Street.
Philadelphia, PA

I HEREBY CERTIFY that a true and correct copy and copies of the
foregoing will served upon Stephen B. Harris Esq. of HARRIS AND
HARRIS 1760 Bristol Rd, Warrington, PA 18976 Phone: (215)
343-9000 US mail.